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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,439	09/08/2003	Larry White	SONY-26600	4739

7590  
Jonathan O. Owens  
HAVERSTOCK & OWENS LLP  
162 North Wolfe Road  
Sunnyvale, CA 94086

REC'D NOV 30 2009

EXAMINER
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PARK, JEONG S

ART UNIT	PAPER NUMBER
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2454

MAIL DATE	DELIVERY MODE
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11/27/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/658,439

Applicant(s)

WHITE ET AL.

Examiner

JEONG S. PARK

Art Unit

2454

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2009.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 4/23/2009, 4/29/2009, 5/19/2009, and 7/10/2009
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This communication is in response to Application No. 10/658,439 filed on 22 9/8/2003. The argument presented on 8/26/2009 is hereby acknowledged. Claims 1-42 have been examined.

#### ***Claim Objections***

2. Claim 32 is objected to because of the following informalities:

The claim status "currently amended" should be corrected as --previously amended--.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 6-11, 13-17, 19-23, 25-27, 29-34 and 36-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter et al. (hereinafter Carter)(US Pub. No. US 2002/0194309 A1) in view of Hays et al. (hereinafter Hays)(US Pub. No. 2002/0046278).

Regarding claims 1, 2, 8, 9, and 15, Carter discloses as follows:

A media server (master digital multimedia device, reference character 112 in figure 1, see, e.g., page 3, paragraph [0027], lines 4-10) comprising;

A database to store content data (multimedia database, reference character 106 in figure 1, see, e.g., page 3, paragraph [0028]);

The content source database is capable of communication with other network devices to deliver the data stored in the database (see, e.g., page 3, paragraph [0028]); and

A content directory service to browse the content data stored in the database and to provide information regarding the content data stored in the database (the user can select the desired multimedia works to be synchronized and download for storage on the digital multimedia device from the music multimedia database and the selected digital data is downloaded from the music multimedia database into the data storage memory unit of the digital multimedia device, see, e.g., page 4, paragraph [0031]).

Carter does not explicitly teach a content directory service to maintain directory information related to new content received and an interface layer coupled to communicate with the synchronization application and the content directory service to discover new content data and provide update information to the content directory service regarding the new content data received by the database from the external device during content data synchronization

Hays teaches as follows:

A content directory service to maintain directory information related to new content received (the distribution server provides its directory to the collection kiosk to retrieve the new information, see, e.g., page 2, paragraph [0022]);

A content directory service to browse the content data stored in the database (the description of web pages are stored in a certain directory of the file system and a user of the collection kiosk uses the browser to browse the various web pages (see, e.g., page 3, paragraph [0026]);

The server interface (equivalent to applicant's interface layer) is responsible for accessing the central medical information system to retrieve updated content (see, e.g., page 3, paragraph [0026]); and

The server interface stores the updated content in the web page directory (equivalent to applicant's content directory service) to overwrite or augment existing web page content (see, e.g., page 3, paragraph [0026]).

It would have been obvious for one of ordinary skill in the art at the time of the invention was made to combine Hays with Carter in order to efficiently synchronize multiple devices each other via a central database so that all the devices have the same content and content management.

Regarding claims 3, 10, 16, and 22, Carter discloses that the external device or the network device is a second media server (the digital multimedia player, 104 in figure 1, automatically performs the synchronization and download function between master and subordinate digital multimedia devices which means the digital multimedia player

works exactly same as the master digital multimedia player, see, e.g., page 4, paragraph [0032], lines 1-5).

Regarding claims 4, 11, 17, and 23, Carter discloses that the external device or the network device includes an Internet service (network system connects all external devices is the Internet representing a worldwide collection of networks and gateways that use the TCP/IP suite of protocols to communicate with one another, see, e.g., page 3, paragraph [0027], lines 16-19).

Regarding claims 6, 7, 13, 14, 19, 20, 25, 26, 29, 30, 36, and 37, Carter discloses that the content data includes media files such as audio, video, graphic, and text data (see, e.g., page 4, paragraph [0033], lines 14-18).

Regarding claim 21, it is rejected for similar reason as presented above in claim 1.

The examiner interpreted the first update information as updating from the external devices to the database and the second update information as updating from other than the external devices to the database then later synchronized to the external devices.

Carter further teaches several synchronization directions, from a database to multimedia devices (see, e.g., page 3, paragraph [0031], from the master multimedia devices to subordinate multimedia device (see, e.g., page 4, paragraph [0032] and from subordinate multimedia device to master multimedia device (see, e.g., page 4, paragraph [0032]).

Carter does not explicitly disclose synchronization process from the external device to the database.

Hays teaches as follows:

the synchronization process from the external device to the database (the central medical information database may contain the medical information collected through the collection kiosks and collected through other sources, see, e.g., page 2, paragraph [0023] and figure 8);

A content directory service to maintain directory information related to new content received (the distribution server provides its directory to the collection kiosk to retrieve the new information, see, e.g., page 2, paragraph [0022]);

A content directory service to browse the content data stored in the database (the description of web pages are stored in a certain directory of the file system and a user of the collection kiosk uses the browser to browse the various web pages (see, e.g., page 3, paragraph [0026]));

The server interface (equivalent to applicant's interface layer) is responsible for accessing the central medical information system to retrieve updated content (see, e.g., page 3, paragraph [0026]); and

The server interface stores the updated content in the web page directory (equivalent to applicant's content directory service) to overwrite or augment existing web page content (see, e.g., page 3, paragraph [0026]).

Regarding claims 27 and 31, Carter teaches as follows:

A method of synchronizing data between two network devices (see, e.g., paragraph [0016], lines 1-3), the method comprising:

Sending first update information to a content directory service (visual display means) from an interface layer (control unit) regarding a first new content data received by a first media device (data storage memory unit of the digital multimedia device) from a second media device (music multimedia database) during content data synchronization performed by a synchronization application (see, e.g., page 3, paragraph [0030] and paragraph [0031] and figure 3);

Sending second update information to the synchronization application (processor, 302 in figure 3) from the interface layer (control unit) regarding a second new content added to the first media device (data storage memory unit, 312 in figure 3, of the digital multimedia device), wherein the second new content data is synchronized with the second media device (music multimedia database) during a next content data synchronization (see, e.g., page 3, paragraph [0030] and paragraph [0031] and figure 3), thereby maintaining by the content directory service directory information related to the first new content received (content management means, see, e.g., page 5, paragraph [0045], therefore the system allows multiple devices to synchronize its internal collection with each other); and

Sending the first update information to the content directory service and sending the second update information to the synchronization application are performed automatically (see, e.g., page 4, paragraph [0032], lines 1-5).



Hays further teaches regarding the content directory service and the interface layer as follows:

A content directory service to maintain directory information related to new content received (the distribution server provides its directory to the collection kiosk to retrieve the new information, see, e.g., page 2, paragraph [0022]);

A content directory service to browse the content data stored in the database (the description of web pages are stored in a certain directory of the file system and a user of the collection kiosk uses the browser to browse the various web pages (see, e.g., page 3, paragraph [0026]));

The server interface (equivalent to applicant's interface layer) is responsible for accessing the central medical information system to retrieve updated content (see, e.g., page 3, paragraph [0026]); and

The server interface stores the updated content in the web page directory (equivalent to applicant's content directory service) to overwrite or augment existing web page content (see, e.g., page 3, paragraph [0026]).

Therefore, they are rejected for similar reason as presented above in claim 1.

Regarding claims 32-34 and 38, Carter discloses as follows:

A method or an apparatus of synchronizing data between two network devices (see, e.g., page 2, paragraph [0016], lines 1-3), the method comprising:

Performing data synchronization between a first media server and a second media server (see, e.g., page 3, paragraph [0031], lines 2-8);

Receiving content data related to the data synchronization on the first media server (data storage memory unit, 312 in figure 3, of the digital multimedia device, see, e.g., page 3, paragraph [0031], lines 12-18);

Obtaining update information related to the received content data from a synchronization application on the first media server (see, e.g., page 3, paragraph [0031], lines 21-24);

Providing the update information to a content directory service (visual display means) of the first media server (see, e.g., page 3, paragraph [0030], lines 16-21); and

Updating the content directory service according to the update information (see, e.g., page 3, paragraph [0031], lines 21-24 and paragraph [0030], lines 16-21), thereby maintaining by the content directory service directory information related to the received content data (content management means, see, e.g., page 5, paragraph [0045], therefore the system allows multiple devices to synchronize its internal collection with each other).

Carter does not explicitly disclose synchronization process from the external device to the database.

Hays teaches the synchronization process from the external device to the database (the central medical information database may contain the medical information collected through the collection kiosks and collected through other sources, see, e.g., page 2, paragraph [0023] and figure 8).

It would have been obvious for one of ordinary skill in the art at the time of the invention was made to combine Hays with Carter to include synchronization from

multimedia devices to a database in order to efficiently synchronize multiple devices each other via a central database so that all the devices have the same content and content management.

Regarding claims 39 and 40, they are rejected for similar reason as presented above in claims 1 and 8.

Carter further teaches automatically providing update information (the digital multimedia device (equivalent to applicant's media server) allows the user, via the control unit (equivalent to applicant's interface layer) to request and download new recorded data (equivalent to applicant's new content data) into the digital multimedia device or program the digital multimedia device to synchronize and update the user's files automatically from a multimedia database (equivalent to applicant's database), see, e.g., page 4, paragraph [0031]).

5. Claims 5, 12, 18, 24, 28, 35, 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter et al. (hereinafter Carter)(U.S. Pub. No. US 2002/0194309 A1) in view of Hays et al. (hereinafter Hays)(US Pub. No. 2002/0046278), and further in view of Gu et al. (hereinafter Gu)(U.S. Patent No. 6,892,230 B1).

Regarding claims 5, 12, 18, 24, 28, and 35, Carter in view of Hays teach all the claim limitations of claims 1, 8, 15, 21, 27, and 32 as explained above except for disclosure of the media server is a Universal Plug and Play enabled device and the content directory service is a Universal Plug and Play content directory service.

The general concept of enabling a Universal Plug and Play featured device and service is well known within the art as illustrated by Gu which teaches a Universal Plug and Play (see, e.g., col. 5, lines 20-29).

It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Gu with Carter in view of Hays to include using a Universal Plug and Play enabled device and service as taught by Gu in order to avoid user installation experience, persistent relationship configurations and software driver download whenever connecting multiple network devices together.

Regarding claims 41 and 42, Carter in view of Hays teach all the claim limitations of claims 1, 8, 15, 21, 27, and 32 as explained above except for disclosure of the media server is a Universal Plug and Play enabled device and the content directory service is a Universal Plug and Play content directory service.

Therefore, they are rejected for similar reason as presented above in claim 5.

### ***Response to Arguments***

6. Applicant's arguments filed 8/26/2009 have been fully considered but they are not persuasive.

#### **A. Summary of Applicant's Arguments**

In the remarks, the applicant argues as followings:

1) Regarding claim 1, Carter, Hays and their combination do not teach an interface layer coupled to communicate with the synchronization application and the content directory service to discover the new content data and provide update

information to the content directory service regarding the new content data received by the database from the external device during the content data synchronization.

2) Regarding claim 39, Carter, Hays and their combination do not teach to automatically provide update information to the content directory service regarding the new content data received by the database from the external device during the content data synchronization without user intervention.

B. Response to Arguments:

In response to argument 1), Hays teaches as follows:

Interface layer (interpreted as server interface) coupled to communicate with the synchronization application (any software program to update or retrieve new information) and the content directory service to discover the new content data (the distribution server provides its directory to the collection kiosk to retrieve the new information, see, e.g., page 2, paragraph [0022]) and provide update information to the content directory service regarding the new content data received by the database from the external device during the content data synchronization (the server interface stores the updated content in the web page directory (equivalent to applicant's content directory service) to overwrite or augment existing web page content, see, e.g., page 3, paragraph [0026]).

Therefore, Carter in view of Hays teach the interface layer coupled to communicate with the synchronization application and the content directory service to discover the new content data and provide update information to the content directory

service regarding the new content data received by the database from the external device during the content data synchronization.

In response to argument 2), Carter further teaches automatically providing update information (the digital multimedia device (equivalent to applicant's media server) allows the user, via the control unit (equivalent to applicant's interface layer) to request and download new recorded data (equivalent to applicant's new content data) into the digital multimedia device or program the digital multimedia device to synchronize and update the user's files automatically from a multimedia database (equivalent to applicant's database), see, e.g., page 4, paragraph [0031]).

The applicant claimed "automatically providing update information during the content data synchronization without user intervention." Therefore Carter teaches automatic synchronization without user intervention **during the synchronization period** (a program to synchronize and update the user's files automatically from a database, see, e.g., page 4, paragraph [0031], lines 5-8). Such the program inherently does not require user intervention while running the program.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEONG S. PARK whose telephone number is (571)270-1597. The examiner can normally be reached on Monday through Friday 7:00 - 3:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/658,439  
Art Unit: 2454

Page 15

/J. S. P./  
Examiner, Art Unit 2454

November 12, 2009

/NATHAN FLYNN/

Supervisory Patent Examiner, Art Unit 2454



# **Notice of References Cited**

Application/Control No.

10/658,439

Applicant(s)/Patent Under  
Reexamination  
WHITE ET AL.

Examiner

JEONG S. PARK

Art Unit

2454

Page 1 of 1

## **U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,892,230	05-2005	Gu et al.	709/220
*	B	US-2002/0194309	12-2002	Carter et al.	709/219
*	C	US-2002/0046278	04-2002	Hays et al.	709/225
	D	US-			
	E	US-			
	F	US-			
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	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

## **FOREIGN PATENT DOCUMENTS**

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	N					
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## **NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Not for submission under 37 CFR 1.99)	Application Number	10658439
	Filing Date	2003-09-08
	First Named Inventor	Larry White
	Art Unit	2454
	Examiner Name	Park, Jeong S
Attorney Docket Number		Sony-26600

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/J.P./	1	20030167318	A1	2003-09-04	Robbin et al.		
/J.P./	2	20040098379	A1	2004-05-20	Huang		
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
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Application Number	10658439
Filing Date	2003-09-08
First Named Inventor	Larry White
Art Unit	2454
Examiner Name	Park, Jeong S
Attorney Docket Number	Sony-26600

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>
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**EXAMINER SIGNATURE**

Examiner Signature	/Jeong Park/	Date Considered	11/09/2009
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Not for submission under 37 CFR 1.99)	Application Number	10658439
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Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
/J.P./	1	7478047	B2	2009-01-13	Loyall et al.	

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Attorney Docket Number	Sony-26600		

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<p><sup>1</sup> See Kind Codes of USPTO Patent Documents at <a href="http://www.USPTO.GOV">www.USPTO.GOV</a> or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.</p>		

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

Approved for use through 02/28/2009. OMB 0651-0031

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	First Named Inventor	Larry White		
	Art Unit	2454		
	Examiner Name	Park, Jeong S.		
Attorney Docket Number		SONY-26600		

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Application Number	10658439
Filing Date	2003-09-08
First Named Inventor	Larry White
Art Unit	2454
Examiner Name	Park, Jeong S.
Attorney Docket Number	SONY-26600

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Not for submission under 37 CFR 1.99)	Application Number		10658439	
	Filing Date		2003-09-08	
	First Named Inventor	Larry White et al.		
	Art Unit	2454		
	Examiner Name	Park, Jeong S		
Attorney Docket Number		Sony-26600		

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Art Unit	2454
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A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Jonathan O. Owens/	Date (YYYY-MM-DD)	2009-11-19
Name/Print	Jonathan O. Owens	Registration Number	37902

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